

REMARKS

As a preliminary matter, the specification is objected to for the reasons set forth on page 3 of the present Office Action. Applicant amends the specification, as indicated herein, and believes that these amendments obviate the Examiner's objections to the specification.

Claims 1-19 are all the claims pending in the present application. The Examiner found the arguments set forth in the amendment dated December 27, 2004, to be persuasive. However, the Examiner has issued new rejections based on new prior art. Specifically, claims 1-4, 10, 11 and 13-19 are now rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Narushima et al (U.S. Patent 6,831,755) in view of Gondek (U.S. Patent 5,982,990). Claims 5, 7, 8 and 9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Narushima in view of Gondek, and further in view of Takahashi (U.S. Patent 6,697,167). Claim 6 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Narushima in view of Gondek, and further in view of Matsunawa et al (U.S. Patent 5,357,354). Finally, claim 12 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Narushima in view of Gondek, and further in view of Goto et al (U.S. Patent 5,828,397).

§103(a) Rejections (Narushima/Gondek) - Claims 1-4, 10, 11 and 13-19

The Examiner rejects claims 1-4, 10, 11 and 13-19 for the reasons set forth on pages 3-10 of the present Office Action. Applicant traverses these rejections at least based on the following reasons.

With respect to independent claim 1, the Examiner alleges that Narushima teaches most of the limitations of claim 1, and that Gondek makes up for the deficiencies of Narushima. In

particular, the Examiner alleges that Narushima teaches or suggests the feature, "wherein a gamma characteristic A, for said input tone data for said first color space and an output density relative to a tone value for each brightness level of an image, corresponds to a gamma characteristic B for said halftone table and an output density relative to a tone value for each brightness level of an image," as recited in claim 1. Specifically, the Examiner alleges:

By definition gamma characteristic is relation between output density and tone value of input. Thus since Narushima et al disclose that characteristic of the display and the printing can be equated this will result in the gamma characteristic being equivalent, therefore at each brightness level output densities for both the input tone data for said first color space and for said halftone tale can be equivalent.

In response, Applicant submits that simply attempting to equate display characteristics of a display and a printout does not necessarily teach or suggest the specific features set forth in the above-quoted limitation. The Examiner has obviously used impermissible hindsight reasoning in concluding that, at each brightness level, output densities for both the input tone data for said first color space and for said halftone table can be equivalent, as nowhere does Narushima even discuss that such occurs at each brightness level. Therefore, at least based on the foregoing, Applicant submits that independent claim 1 is patentably distinguishable over the applied references, either alone or in combination.

Applicant submits that independent claim 18 is patentable at least for reasons similar to those set forth above with respect to claim 1.

With respect to independent claim 13, similar to the argument set forth above with respect to claim 1, Applicant submits that the Examiner has used impermissible hindsight reasoning in concluding that the feature, "wherein, for a gamma characteristic A for an output

density relative to a tone value of said input tone data for said RGB color space, a difference between a ratio for a first RGB tone area of the change of said output density to the change of a first input tone value, and a ratio for a second RGB tone area of the change of said output density to the change of second input tone value, which is lower than said first input tone value for said first input tone area, is the same as a difference, for said gamma characteristic B of said halftone table, between a ratio for a first CMYK input tone area of the change of said output density to the change of a third input tone value, and a ratio for a second CMYK input tone area of the change of said output density to the change of a fourth input tone value, which is higher than said third input tone value for said first CMYK input tone area.” The Examiner repeats the exact same argument used to support the rejection of claim 1 to support the rejection of claim 13, however, the specific limitations set forth in the above-quoted limitation of claim 13 are not addressed by the Examiner. For example, nowhere do the cited portions of Narushima even mention a difference ratio for a RGB tone area of the change of the output densities to the change of first input tone values and similar ratios for second RGB tone areas. Further, there is no mention that the above-described difference is the same as a difference between a ratio for a first CMYK input tone area and a ratio for a second CMYK tone area. Therefore, at least based on the foregoing, Applicant submits that independent claim 13 is patentable over the applied references, either alone or in combination.

Applicant submits that independent claim 19 is patentable for reasons similar to those set forth above with respect to claim 13.

Applicant submits that dependent claims 2-4, 10, 11, and 14-17 are patentable at least by virtue of their indirect or direct dependency from independent claim 1.

§103(a) Rejections (Narushima/Gondek/Takahashi) - Claims 5, 7, 8 and 9

Claims 5, 7, 8 and 9 are rejected for the reasons set forth on pages 11-13 of the present Office Action. Applicant submits that dependent claims 5, 7, 8 and 9 are patentable at least by virtue of their dependency from independent claim 1. Takahashi does not make up for the deficiencies of Narushima and Gondek.

§103(a) Rejections (Narushima/Gondek/Matsunawa) - Claim 6

Applicant submits that claim 6 is patentable at least by virtue of its dependency from independent claim 1. Matsunawa does not make up for the deficiencies of Narushima and Gondek.

§103(a) Rejections (Narushima/Gondek/Goto) - Claim 12

Applicant submits that dependent claim 12 is patentable at least by virtue of its dependency from independent claim 1. Goto does not make up for the deficiencies of Narushima and Gondek.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/741,099

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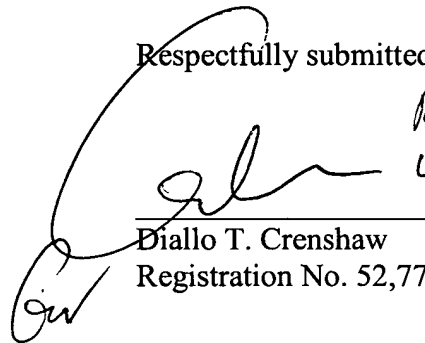
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